

109TH CONGRESS
1ST SESSION

H. R. 480

To amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based on part-time service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2005

Mr. MORAN of Virginia (for himself, Mr. HOYER, Mr. WOLF, Mr. WYNN, Mr. VAN HOLLEN, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend section 8339(p) of title 5, United States Code, to clarify the method for computing certain annuities under the Civil Service Retirement System which are based on part-time service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. COMPUTATION OF CERTAIN ANNUITIES BASED**
4 **ON PART-TIME SERVICE.**

5 Section 8339(p) of title 5, United States Code, is
6 amended by adding at the end the following:

7 “(3) In the administration of paragraph (1)—

1 “(A) subparagraph (A) of such paragraph shall
 2 apply with respect to pay for service performed be-
 3 fore, on, or after April 7, 1986; and

4 “(B) subparagraph (B) of such paragraph—

5 “(i) shall apply with respect to that portion
 6 of any annuity which is attributable to service
 7 performed on or after April 7, 1986; and

8 “(ii) shall not apply with respect to that
 9 portion of any annuity which is attributable to
 10 service performed before April 7, 1986.”.

11 **SEC. 2. APPLICABILITY.**

12 (a) IN GENERAL.—The amendment made by this Act
 13 shall be effective with respect to any annuity entitlement
 14 to which is based on a separation from service occurring
 15 on or after the date of enactment of this Act.

16 (b) RECOMPUTATION OF CERTAIN ANNUITIES.—

17 (1) IN GENERAL.—In the case of any individual
 18 who—

19 (A) before April 7, 1986, performed any
 20 service creditable under subchapter III of chap-
 21 ter 83 of title 5, United States Code, and

22 (B) was separated from the service on or
 23 after April 7, 1986, and before the date of en-
 24 actment of this Act,

1 any annuity under subchapter III of chapter 83 of
2 title 5, United States Code (or under chapter 84 of
3 such title 5, to the extent of any portion of such an-
4 nuity which is computed under subchapter III of
5 such chapter 83) based on the service of such indi-
6 vidual shall be recomputed to take into account the
7 amendment made by this Act, if application therefor
8 is made within 18 months after the date of enact-
9 ment of this Act.

10 (2) AMOUNTS TO WHICH APPLICABLE.—Any
11 change in an annuity resulting from a recomputation
12 under paragraph (1) shall be effective with respect
13 to amounts accruing for months beginning after the
14 date on which application for such recomputation is
15 made.

16 (c) NOTICE REQUIREMENT.—

17 (1) IN GENERAL.—The Office of Personnel
18 Management shall take such action as may be nec-
19 essary and appropriate to inform individuals entitled
20 to have any annuity recomputed under subsection
21 (b) of their entitlement to such recomputation.

22 (2) ASSISTANCE.—The Office shall, on request,
23 assist any individual referred to in paragraph (1) in
24 obtaining from any department, agency, or other in-
25 strumentality of the United States such information

1 in the possession of such instrumentality as may be
2 necessary—

3 (A) to verify the entitlement of such indi-
4 vidual to have an annuity recomputed under
5 subsection (b); or

6 (B) to carry out any such recomputation.

7 (3) INFORMATION.—Any department, agency,
8 or other instrumentality of the United States which
9 possesses any information with respect to part-time
10 service performed by an individual shall, at the re-
11 quest of the Office, furnish such information to the
12 Office.

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